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U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAN 06 2011

JAMES N. HATTEN, Clerk

By

*BE*

Deputy Clerk

GERMAN ROSALES and LUIS,  
CARTAGENA, individually and  
on behalf of all other persons similarly  
situated who were employed by  
THERMAL INSULATION, INC.,

Plaintiffs,

v.

THERMAL INSULATION, INC.,

Defendant.

Civil Action File

No. 1:10-CV-1970-JOF

**ORDER GRANTING FINAL APPROVAL  
OF COLLECTIVE ACTION SETTLEMENT  
AND DISMISSING CASE WITH PREJUDICE**

Upon consideration of the parties' "Joint Motion for Final Approval of Collective Action Settlement," the Court finds as follows:

Plaintiffs and Defendant have agreed to settle their dispute and, on September 9, 2011, filed a Settlement Agreement which, together with the Exhibits annexed thereto, set forth the terms and conditions for a proposed settlement and for dismissal of the Action. The parties also filed a Joint Motion for Preliminary Approval of Class Settlement.

The Court has read and considered the Settlement Agreement and the Exhibits annexed thereto, has read and considered all other papers filed, and therefore orders as follows:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This Order incorporates by reference the definitions in the Settlement Agreement, and all terms used herein shall have the same meanings set forth in the Settlement Agreement.

2. The Court expressly finds that it has personal jurisdiction over all Named Plaintiffs and Class Members and that the Court has subject matter jurisdiction over the claims asserted in the Action and to approve this Agreement.

3. After due consideration, in light of the Court's findings in its Order of September 9, 2011, preliminarily approving the Settlement Agreement and given that no Named Plaintiff or Class Member has objected to this Settlement Agreement, the Court finds that it may make a determination on the record, and without an in-person hearing, as to the fairness, reasonableness and adequacy of this Settlement Agreement.

4. After full consideration of the Settlement Agreement and the Motions and Briefs of the parties, pursuant to 29 U.S.C. § 216(b), the Court approves the Settlement Agreement as being fair, reasonable, and adequate to all Class Members.

5. The Court further approves, as to form and content, the proposed allocation of settlement proceeds per Class Member annexed to the Settlement Agreement as Exhibit C.

6. The Court further approves the payment of attorneys' fees to Class Counsel, Munger & Stone, LLP and Virginia & Ambinder, LLP on the terms set forth in ¶ IV H of the Settlement Agreement.

7. The Court further finds that the mailing of the Class Notice in the manner and form set forth in the Court's Order of September 9, 2011 was and is: (a) the best practicable notice under the circumstances; (b) reasonably calculated to apprise Class Members of the pendency of the Action and of their right to object to or exclude themselves from the proposed settlement; and (c) constitutes due, adequate, and sufficient notice to all persons entitled to receive notice.

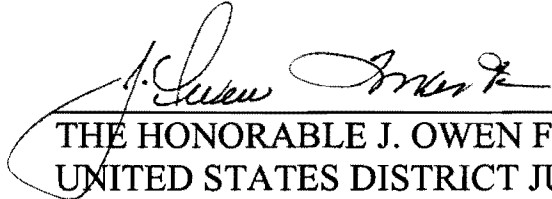
8. The Court further finds that Class Counsel and the Plaintiffs adequately represented the Class for purposes of entering into and implementing the settlement.

9. The Court hereby directs the Parties and their counsel to implement and consummate this Agreement according to the terms and provisions.

10. The Court further Orders that, upon the payment of the settlement proceeds, this matter shall be dismissed with prejudice through the filing of a joint Stipulation of Dismissal with prejudice.

11. The Court retains jurisdiction over all proceedings arising out of or related to the Settlement Agreement, including, but not limited to, jurisdiction to issue final approval of the settlement.

DATED: January 6<sup>th</sup>, 2012

  
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THE HONORABLE J. OWEN FORRESTER  
UNITED STATES DISTRICT JUDGE